

**17 CFR Part 249**

[Release No. 34-87005D; File No. S7-05-14]

RIN 3235-AL45

**Recordkeeping and Reporting Requirements for Security-Based Swap Dealers, Major
Security-Based Swap Participants, and Broker-Dealers; Correction**

AGENCY: Securities and Exchange Commission.

ACTION: Correcting amendment.

SUMMARY: On September 19, 2019, the Securities and Exchange Commission (the “Commission”) adopted recordkeeping, reporting, and notification requirements applicable to security-based swap dealers and major security-based swap participants, securities count requirements applicable to certain security-based swap dealers, and additional recordkeeping requirements applicable to broker-dealers to account for their security-based swap and swap activities. Release 34-87005 (Sept. 19, 2019) was published in the *Federal Register* on Dec. 16, 2019. This document corrects technical inaccuracies in that release.

DATES: Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Valentina Minak Deng, Special Counsel, at (202) 551-5778; Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE, Washington, D.C. 20549-7010.

SUPPLEMENTARY INFORMATION: We are making technical corrections to Part II and Part IIC of Form X-17A-5 (referenced in 17 CFR 249.617). The release resulting in the technical inaccuracies was published in the *Federal Register* on December 16, 2019 at 84 FR 68550, and adopted by the Commission in Exchange Act Release No. 87005 on September 19, 2019.

List of Subjects in 17 CFR Part 249

Brokers, Recordkeeping and reporting requirements, Securities.

Accordingly, 17 CFR part 249 is corrected by making the following amendments:

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

1. The authority citation for part 249 continues to read, in part, as follows:

Authority: 15 U.S.C. 78a *et seq.* and 7201 *et seq.*; 12 U.S.C. 5461 *et seq.*; 18 U.S.C. 1350; Sec. 953(b), Pub. L. 111-203, 124 Stat. 1904; Sec. 102(a)(3), Pub. L. 112-106, 126 Stat. 309 (2012); Sec. 107, Pub. L. 112-106, 126 Stat. 313 (2012), and Sec. 72001, Pub. L. 114-94, 129 Stat. 1312 (2015), unless otherwise noted.

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Section 249.617 is also issued under Pub. L. 111-203, §939, 939A, 124. Stat. 1376 (2010) (15 U.S.C. 78c, 15 U.S.C. 78o-7 note).

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2. Amend Part II of Form X-17A-5 (referenced in § 249.617 of this chapter) by:

a. Removing “D. Minimum CFTC net capital requirement; Enter the greatest of Lines A.v, B, or C.....\$_____ [7490]” and adding in its place “D. Minimum CFTC net capital requirement; Enter the greatest of Lines A.vii, B, or C.....\$_____ [7490]”; and

b. Removing “CFTC early warning level – enter the greatest of 110% of Line A.v. or 150% of Line B or 150% of Line C or \$375,000.....\$_____ [7495]” and adding in its place “CFTC early warning level – enter the greatest of 110% of Line A.vii. or 150% of Line B or 150% of Line C.....\$_____ [7495]”.

Note: The text of Part II of Form X-17A-5 does not and this amendment will not appear in the Code of Federal Regulations.

3. Amend Part IIC of Form X-17A-5 (referenced in § 249.617 of this chapter) by:

a. Removing “[12758]” and adding in its place “[12820]”;

b. Removing “[12759]” and adding in its place “[12821]”;

c. Removing “[12760]” and adding in its place “[12007]”;

d. Removing “[12761]” and adding in its place “[12008]”;

- e. Removing “12762” and adding in its place “12999”;
- f. Removing “12763” and adding in its place “12009”;
- g. Removing “12764” and adding in its place “12010”;
- h. Removing “12765” and adding in its place “12011”;
- i. Removing “12766” and adding in its place “12012”;
- j. Removing “12767” and adding in its place “12013”;
- k. Removing “12768” and adding in its place “12822”;
- l. Removing “12769” and adding in its place “12823”;
- m. Removing “12770” and adding in its place “12824”;
- n. Removing “12771” and adding in its place “12825”;
- o. Removing “12772” and adding in its place “12826”;
- p. Removing “12773” and adding in its place “12827”;
- q. Removing “12774” and adding in its place “12828”;
- r. Removing “12775” and adding in its place “12829”;
- s. Removing “12776” and adding in its place “12830”;
- t. Removing “12777” and adding in its place “12831”;
- u. Removing “12778” and adding in its place “12832”;
- v. Removing “12779” and adding in its place “12833”;
- w. Removing “12780” and adding in its place “12834”;
- x. Removing “12781” and adding in its place “12835”;
- y. Removing “12782” and adding in its place “12836”;
- z. Removing “12783” and adding in its place “12837”;
- aa. Removing “12784” and adding in its place “12838”;
- bb. Removing “12785” and adding in its place “12839”;

- cc. Removing “12786” and adding in its place “12840”;
- dd. Removing “12801” and adding in its place “12106”;
- ee. Removing “12802” and adding in its place “12107”;
- ff. Removing “12803” and adding in its place “12108”;
- gg. Removing “12804” and adding in its place “12109”;
- hh. Removing “12805” and adding in its place “12110”;
- ii. Removing “12806” and adding in its place “12111”;
- jj. Removing “12807” and adding in its place “8295”;
- kk. Removing “12809” and adding in its place “12114”;
- ll. Removing “12810” and adding in its place “12115”;
- mm. Removing “12811” and adding in its place “12116”;
- nn. Removing “12812” and adding in its place “12117”;
- oo. Removing “12813” and adding in its place “12118”;
- pp. Removing “12814” and adding in its place “12119”; and
- qq. Removing “12815” and adding in its place “8296”.

Note: The text of Part IIC of Form X-17A-5 does not and this amendment will not appear in the Code of Federal Regulations.

Dated: February 2, 2022

J. Matthew DeLesDernier
Assistant Secretary